Document 581

34993

Liza M. Walsh Hector D. Ruiz Eleonore Ofosu-Antwi WALSH PIZZI O'REILLY FALANGA LLP One Riverfront Plaza 1037 Raymond Boulevard, Suite 600 Newark, NJ 07102 (973) 757-1100

OF COUNSEL (admitted *pro hac vice*):

Adam R. Alper Michael W. De Vries Brandon H. Brown KIRKLAND & ELLIS LLP KIRKLAND & ELLIS LLP 333 South Hope Street 555 California Street Los Angeles, CA 90071 San Francisco, CA 94104

(213) 680-8400 (415) 439-1400

Leslie M. Schmidt KIRKLAND & ELLIS LLP 601 Lexington Ave New York, NY 10022 (212) 446-4800

Gianni Cutri Joel M. Merkin KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, IL 60654 (312) 862-2000 Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

EAGLE VIEW TECHNOLOGIES, INC., and PICTOMETRY INTERNATIONAL CORP.,

Plaintiffs,

v.

XACTWARE SOLUTIONS, INC., and VERISK ANALYTICS, INC.,

Defendants.

Civil Action No.: 1:15-cv-07025 (RBK-JS)

NOTICE OF PLAINTIFF EAGLE VIEW TECHNOLOGIES, INC.'S MOTION IN LIMINE TO **EXCLUDE ANY ARGUMENT, EVIDENCE, TESTIMONY, OR** REFERENCE TO DTX-160, RELATED DEPOSITION TESTIMONY, THE MEETING INVITE, AND OTHER SIMILARLY **INFLAMMATORY REFERENCES** TO RACE, SEX, OR POLITICS

Return Date: On a date to be set by the court

Filed Electronically

)

PLEASE TAKE NOTICE that on a date to be set by the court counsel for Plaintiff Eagle View Technologies, Inc. ("Plaintiff") shall move before the Honorable Robert B. Kugler, U.S.D.J., at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building and United States Courthouse, Fourth and Cooper Streets, Camden, New Jersey, for the entry of an Order To Exclude Any Argument, Evidence, Testimony, Or Reference To DTX-160, Related Deposition Testimony, The Meeting Invite, And Other Similarly Inflammatory References To Race, Sex, Or Politics.

PLEASE TAKE FURTHER NOTICE that Plaintiff will rely upon the Memorandum of Law submitted with this Notice of Motion and the Declaration of Liza M. Walsh with Exhibits annexed thereto, and any additional submissions made hereafter.

PLEASE TAKE FURTHER NOTICE that a proposed Order granting Plaintiff's motion is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: May 2, 2019

WALSH PIZZI O'REILLY FALANGA LLP

s/ Liza M. Walsh

Liza M. Walsh Hector D. Ruiz Eleonore Ofosu-Antwi One Riverfront Plaza 1037 Raymond Boulevard, Suite 600 Newark, New Jersey 07102 (973) 757-1100

OF COUNSEL (admitted *pro hac vice*):

Adam R. Alper Brandon H. Brown Michael W. De Vries LLP

Leslie M. Schmidt KIRKLAND & ELLIS KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS LLP 555 California Street San Francisco, CA 94104 (415) 439-1400

Gianni Cutri Joel M. Merkin KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, IL 60654 (312) 862-2000

Attorneys for Plaintiff

333 South Hope Street Los Angeles, CA 90071 (213) 680-8400

601 Lexington Ave. New York, NY 10022 (212) 446-4800